



National Aeronautics and
Space Administration

Principal Center for Clean Air Act Regulations

REGULATORY ALERT

Changes to the Federal Biobased Products Preferred Procurement Program (FB4P)

This information is provided as a service of NASA's Clean Air Act Principal Center to inform you of regulatory developments. If you have further questions and/or need assistance with this matter, please contact Sharon Scroggins/MSFC (256.544.7932, sharon.scroggins@nasa.gov).

The United States Department of Agriculture (USDA) is implementing the [Federal Biobased Products Preferred Procurement Program \(FB4P\)](#), which provides for the preferred procurement of biobased products by procuring agencies. The term "procuring agency" includes both Federal agencies and "any person contracting with any Federal agency with respect to work performed under that contract." Federal contractors, as well as Federal agencies, are subject to the biobased procurement preference requirements.

Use of biobased products in conventional uses is required under the FB4P. USDA has included exemptions for NASA for use of these products on space vehicles and launch support equipment in the final and proposed rules issued to date. According to USDA [\[71 FR 47571\]](#),

"USDA is proposing an exemption for all designated items when used in spacecraft systems and launch support equipment, because failure of such items could lead to catastrophic consequences. Many, if not all, items that USDA is or is planning to designate for preferred procurement are or will be used in space applications. Frequently, such applications used these items in ways that are different from their more "conventional" use on Earth. It is difficult, if not impossible, to forecast what situations may occur when these items are used in space and how they will perform. Therefore, USDA believes it is reasonable to limit the preferred procurement program to items used in more conventional applications and is proposing to exempt all designated items used in space applications from the FB4P."

These requirements apply to contractors and to operations associated with manufacturing parts for use on space vehicles, but parts that are actual components of space vehicles and launch support equipment are exempt from the requirements. For example, if a part is being manufactured for use on a space vehicle, the metalworking fluid the contractor uses to produce the part should be biobased (provided it meets the specifications for metalworking), but the part itself is exempt from these requirements.

Exhibit 1 outlines the final and proposed products USDA is adding to the FB4P, the potential impact to NASA, and the corresponding exemption for each product.

EXHIBIT 1
Changes to the FB4P

Federal Register (FR) Citation	Product	Definition	Potential Operational Impact	Exemption Status
Final Rule				
71 FR 13686 16 March 2006	Mobile equipment hydraulic fluids	Hydraulic fluids formulated for general use in nonstationary equipment, such as tractors, end loaders, or backhoes.	Used in flight hardware and related equipment	Exemption for use on space vehicles and ground support equipment included in final rule
	Roof coatings	Coatings formulated for use in commercial roof deck systems to provide a single-coat monolith coating system.	None known	No exemption included in final rule
	Water tank coatings	Coatings formulated for use in potable water storage systems.	May be used in crewed vehicle water systems	No exemption included in final rule
	Diesel fuel additives	1. Any substance, other than one composed solely of carbon and/or hydrogen, that is intentionally added to diesel fuel (including any added to a motor vehicle's fuel system) and that is not intentionally removed prior to sale or use. 2. Neat biodiesel, also referred to as B100, when used as an additive. Diesel fuel additive does not mean neat biodiesel when used as a fuel or blended biodiesel fuel (e.g., B20).	Used in ground support equipment	Exemption for use on space vehicles and ground support equipment included in final rule
	Penetrating lubricants	Products formulated to provide light lubrication and corrosion resistance in close tolerant internal and external applications including frozen nuts and bolts, power tools, gears, valves, chains, and cables.	Used in flight hardware and related equipment	Exemption for use on space vehicles and ground support equipment included in final rule
	Bedding, bed linens, towels	1. Bedding is that group of woven cloth products used as coverings on a bed. Bedding includes products such as blankets, bedspreads, comforters, and quilts. 2. Bed linens are woven cloth sheets and pillowcases used in bedding. 3. Towels are woven cloth products used primarily for drying and wiping.	May be used on crewed vehicles	No exemption included in final rule

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Proposed Rules				
71 FR 47590 17 August 2006	2-Cycle engine oils	Lubricants formulated to provide clean-burning lubrication, decreased spark plug fouling, reduced deposit formation, and reduced engine wear in 2-cycle gasoline engines.	None known	Exemption for use on space vehicles and ground support equipment included in the proposed rule.
	Lip care products	Personal care products formulated to replenish the moisture and/or prevent drying of the lips.	None known	Exemption for use on space vehicles and ground support equipment included in the proposed rule.
	Biodegradable films	Films used in packaging, wrappings, linings, and other similar applications and that are capable of meeting ASTM D6400 standard for biodegradability.	Films are used on flight hardware and other applications	Exemption for use on space vehicles and ground support equipment included in the proposed rule.
	Stationary equipment hydraulic fluids	Hydraulic fluids formulated for use as a mechanical power transmission medium (and to provide wear, rust, and oxidation protection) in the hydraulic systems of stationary equipment.	Likely used in ground support equipment	Exemption for use on space vehicles and ground support equipment included in the proposed rule.
	Biodegradable cutlery	Hand-held, disposable utensils designed for one-time use in eating food and that are capable of meeting ASTM D5338 standard for biodegradability.	None known	Exemption for use on space vehicles and ground support equipment included in the proposed rule.
	Glass cleaners	Cleaning products designed specifically for use in cleaning glass surfaces, such as windows, mirrors, car windows, and computer monitors.	May be used on crewed vehicle windows, instrument panels, and other surfaces	Exemption for use on space vehicles and ground support equipment included in the proposed rule.

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	Greases	<ol style="list-style-type: none"> 1. Lubricants composed of oils thickened with soaps or other thickeners to a semisolid or solid consistency. 2. Greases for which minimum biobased contents apply are: <ul style="list-style-type: none"> • Food grade greases. Lubricants that are designed for use on food-processing equipment as a protective anti-rust film, as a release agent on gaskets or seals of tank closures, or on machine parts and equipment in locations in which there is exposure of the lubricated part to food. • Multipurpose greases. Lubricants that are designed for general use. • Rail track greases. Lubricants that are designed for use on railroad tracks or heavy crane tracks. • Truck greases. Lubricants that are designed for use on the fifth wheel of tractor trailer trucks onto which the semi-trailer rests and pivots. • Greases not elsewhere specified. Lubricants that meet the general definition of greases, but are not otherwise specified. 	Greases are used on multiple space vehicle and ground support components.	Exemption for use on space vehicles and ground support equipment included in the proposed rule.
	Dust suppressants	Products formulated to reduce or eliminate the spread of dust associated with gravel roads, dirt parking lots, or similar sources of dust, including products used in equivalent indoor applications.	May be used in transfer operations conducting hardware between buildings and to the pads.	Exemption for use on space vehicles and ground support equipment included in the proposed rule.
	Carpets	Floor coverings composed of woven fibers, with a backing.	None known	Exemption for use on space vehicles and ground support equipment included in the proposed rule.
	Carpet and upholstery cleaners	Cleaning products formulated specifically for use in cleaning carpets and upholstery, through a dry or wet process, found in locations such as houses, cars, and workplaces. Spot cleaners are not included in this item.	None known	Exemption for use on space vehicles and ground support equipment included in the proposed rule.

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Federal Register (FR) Citation	Product	Definition	Potential Operational Impact	Exemption Status
71 FR 47566 17 August 2006	Adhesive and mastic remover	Industrial cleaning solvent products formulated for use in removing asbestos, carpet, and ceramic tile mastics as well as adhesive materials, including glue, tape, and gum, from various surface types.	May be used on flight hardware or ground support equipment	Exemption for use on space vehicles and ground support equipment included in the proposed rule.
	Insulating foam for wall construction	Products designed to provide a sealed thermal barrier for residential or commercial construction applications.	None known	Exemption for use on space vehicles and ground support equipment included in the proposed rule.
	Hand cleaners and sanitizers	Personal care products formulated for use in removing a variety of different soils, greases, and bacteria from human hands with or without the use of water.	May be used in crewed vehicles	Exemption for use on space vehicles and ground support equipment included in the proposed rule.
	Composite panels	Engineered products designed for use in non-structural construction applications, including wall panels, shelving, decorative panels, lavatory dividers, and exterior signs.	May be component of flight hardware or related equipment	Exemption for use on space vehicles and ground support equipment included in the proposed rule.
	Fluid-filled transformers	Electric power transformers that are designed to utilize a dielectric (non-conducting) fluid to provide insulating and cooling properties.	May be used in flight hardware or related equipment	Exemption for use on space vehicles and ground support equipment included in the proposed rule.
	Biodegradable containers	Products capable of complying with the specifications established in the biodegradability standard ASTM D6400 ``Standard Specifications for Compostable Plastics" and designed to be used for temporary storage or transportation of materials such as food items.	Containers are used in various areas, including flight hardware	Exemption for use on space vehicles and ground support equipment included in the proposed rule.
	Fertilizers	Products formulated or processed to provide nutrients for plant growth and/or beneficial bacteria to convert nutrients into plant usable forms.	None known	Exemption for use on space vehicles and ground support equipment included in the proposed rule.
	Metalworking fluids	Products formulated for use in a re-circulating fluid system to provide cooling, lubrication, and corrosion prevention when applied to metal feedstock during operations such as grinding and machining.	Used in various areas	Exemption for use on space vehicles and ground support equipment included in the proposed rule.

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	Sorbents	Materials formulated for use in the clean up and bioremediation of oil and chemical spills, the disposal of liquid materials, or the prevention of leakage or leaching in maintenance applications, shop floors, and fuel storage areas.	Likely used in ground support and processing areas	Exemption for use on space vehicles and ground support equipment included in the proposed rule.
	Graffiti and grease removers	Industrial solvent products formulated to remove automotive, industrial, or kitchen soils and oils, including grease, paint, and other coatings, from hard surfaces.	Solvents and other cleaning methods are used to remove grease in various areas from both metals and non-metals	Exemption for use on space vehicles and ground support equipment included in the proposed rule.
71 FR 59862 11 October 2006	Bath and tile cleaners	Bath and tile cleaners are products designed to clean deposits on bath tubs, shower doors, shower curtains, bathroom tiles, floors, doors, counter tops, etc. They are available both in concentrated and ready-to-use forms.	None known	Exemption for use on space vehicles and ground support equipment included in the proposed rule.
	Clothing products	Clothing products are coverings designed to be worn on a person's body. These products include coverings for the torso and limbs, as well as coverings for the hands, feet, and head.	Used on crewed vehicles and also non-flight items, such as jumpsuits, coveralls, protective gloves, and other clothing	Exemption for use on space vehicles and ground support equipment included in the proposed rule.
	Concrete and asphalt release fluids	Concrete and asphalt release fluids are products designed to provide a lubricating barrier between the composite surface materials (e.g., concrete or asphalt) and the container (e.g., wood or metal forms, truck beds, roller surfaces, etc.).	None known	Exemption for use on space vehicles and ground support equipment included in the proposed rule.
	Cutting, drilling, and tapping oils	Cutting, drilling, and tapping oils are products designed to provide lubrication and reduce wear on the contact parts for cutting, drilling, and tapping machinery. This item applies only to neat oils.	May be used on flight hardware or related equipment	Exemption for use on space vehicles and ground support equipment included in the proposed rule.
	De-icers	De-icers are agents that aid in the removal of snow and ice. For the purposes of this rule, de-icers do not include materials used to de-ice aircraft and airport runways.	May be used handling cryogenic fuels or on launch pads	Exemption for use on space vehicles and ground support equipment included in the proposed rule.

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	Durable plastic films	Durable plastic films are products typically used in the production of bags and packaging materials, and designed to resist water, ammonia, and other compounds, and to not readily biodegrade.	May be used in flight hardware and related equipment; depends on definition	Exemption for use on space vehicles and ground support equipment included in the proposed rule.
	Firearm lubricants	Firearm lubricants are used in firearms to reduce the friction and wear between the moving parts of a firearm, and to keep the weapon clean and prevent the formation of deposits that could cause the weapon to jam.	None known	Exemption for use on space vehicles and ground support equipment included in the proposed rule.
	Floor strippers	Floor strippers are products formulated to loosen waxes, resins, or varnishes from floor surfaces. They can be in either liquid or gel form, and may also be used with or without mechanical assistance.	None known	Exemption for use on space vehicles and ground support equipment included in the proposed rule.
	Laundry products	<ol style="list-style-type: none"> 1. Laundry products include laundry detergents, bleach, stain removers, fabric softeners, etc., that do not leave skin-irritating residues and that clean effectively without the use of toxic chemicals. 2. The two types of laundry products for which minimum biobased contents apply are: <ul style="list-style-type: none"> • Pretreatment or spot removers. Laundry products specifically used to pretreat laundry to remove spots and stains. • General purpose laundry products. Laundry products used for regular cleaning activities. 	None known	Exemption for use on space vehicles and ground support equipment included in the proposed rule.
	Wood and concrete sealers	Wood and concrete sealers are products used to protect wood and/or concrete from damage caused by insects, moisture, and decaying fungi and to make surfaces water resistant.	None known	Exemption for use on space vehicles and ground support equipment included in the proposed rule.